

COMMISSION MEETING MINUTES
December 16, 2014

The Board of Davis County Commissioners met in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah on December 16, 2014 at 10:00 am. Members present were: Commissioner Louenda H. Downs - Chair, Commissioner John Petroff, Jr., Clerk/Auditor Chief Deputy Audit/Finance Curtis Koch, Chief Deputy Civil County Attorney Neal Geddes, and Deputy Clerk/Auditor Janet Hanson. Commissioner P. Bret Millburn joined by telecommunication

Commissioner Downs led the Pledge of Allegiance. All in attendance were invited to stand and join in.

USU Ext year-end report and report on recent outreach trip to Africa

Justen Smith, USU Extension Services Director, gave a year-end report on their programs:

- Farmers Market: 10,000 people attended July – Sept.
- 4H Youth Programs:
 1. Jr. Livestock Program - Justen gave appreciation for the Commissioners' Cup Grant which goes toward National Livestock Bowl participants expenses who are competing in Denver this January representing the State of Utah.
 2. Horse Program - grown from 20 to 90 participants. One youth, Bailey Benewah from West Point, took "Top in State". This program is also service oriented. Most recently completing a Sub for Santa project.
 3. Donated Meat Program— 80,000 pounds of meat were donated this year. Since 2006, over 1 million pounds has been donated. This program began in Davis County and has now spread throughout the state. Commissioner Downs said that there are residents of Davis County benefiting from this program.
 4. Science and Technology – is very popular.
- USU Extension, in general, is becoming better known and utilized. The Botanical Center in Kaysville has helped bring attention to the program.

Having recently returned from South Sudan, Africa, Justen emphasized how fortunate we are to live in the United States. South Sudan is the newest country in the world having gained independence from Sudan following a 20 year civil war, but noted fighting continues. There is no infrastructure of any kind. He was a part of a consortium consisting of the United States, Japan, Canada, Germany and a few African countries. They are creating a 25-year master plan for their agriculture. It includes the entire infrastructure on how they can sustain themselves. The biggest issue is an extension service. They want to keep it in the government. However, it has been Justen's experience that when countries' governments have oversight of extension services, they fail. Countries that have extension services running through universities succeed. Those creating our (U.S.) extension service program over 100 years ago were adamant about having a partnership with a state university, with the county, and little oversight from the federal government. That is why it has succeeded and excelled. We are a model for the rest of the world on our extension agriculture work. Commissioner Downs commented if others could experience what Justen has, they would come home and kiss the ground of the United States that houses us. We have so much.

Justen indicated Commissioner Downs has been the liaison with Extension Services throughout her term in office and he presented a plaque to her from the 4H Youth Program in appreciation of her association and service.

Presentation by
American
Legion Post 27

American Legion Post 27 Commander Kent Hansen recognized and introduced in the audience the other attending members: Paula R. Stephenson, Utah State Commander; Charles Stephenson, Adjutant and

Area 1 Commander; Frank Ferrante, 1st Vice-Commander; and Dave Layton, Sergeant at Arms. On behalf of Post 27, Commander Hansen thanked the Commissioners for helping and championing to provide a home for their organization in the Memorial Courthouse. Having a post home allows them to provide services to veterans that they would have otherwise not been able to do.

Commander Hansen presented to Commissioner Downs a United States flag which was flown over the Davis County Courthouse especially for her. The Post members in the audience all stood and saluted Commissioner Downs. Commissioner Downs thanked the American Legion for giving their service to provide for our freedoms.

21st Annual
Antelope by
Moonlight Bike
Ride Report

Neka Roundy, Davis County Community & Economic Development Specialist, provided the following summary report on the 21st Annual Antelope by Moonlight Bike Ride, “Shoot for the Moon” held on July 11, 2014 (noting the Commissions’ support of the event):

- 1,528 participants
- Web page www.AntelopeByMoonlight.com; online registration
- 70+ volunteers
- Route - White Rock Bay to Fielding Garr Ranch
- Length of ride is about 24 miles
- Refreshments were served at the Ranch
- Prizes were given. Weather was great!
- Facebook page

Neka indicated it is a family friendly, non-competitive, it goes along with who we are in Davis County. There were participants from several states: California, Colorado, Georgia, Idaho, Maryland, Montana, North Carolina, Nevada, Texas, Utah and Washington. All 15 of the Davis County cities had participants. She thanked the sponsors. Next year’s ride will be held on July 3, 2015.

Neka spoke of the integral support provided by Friends of Antelope Island by their continued support. Representing Friends of Antelope Island in the audience were: Barry Burton and Ron Taylor, President and herself. Commissioner Petroff commended Neka for being the key behind the event and thanked her for being a great leader.

Request for
donation to
Friends of
Antelope Island

Neka Roundy, Davis County Community & Economic Development Specialist, presented a request for donation to Friends of Antelope Island in the amount of \$20,000.00 from the proceeds of the Antelope by Moonlight Bike Ride. Commissioner Petroff made a motion to approve the donation. Commissioner Millburn seconded the motion. All voted aye.

Ron Taylor, President of the Friends of Antelope Island accepted the donation. He gave his appreciation to the Commission for their support of the Island which is a Utah State Park.

Agreement
#2014-409 UT
Div Substance
Abuse &
Mental Health
for services to
chronically
homeless
veterans &
individuals

Brandon Hatch, Davis Behavioral Health (DBH) Director, indicated DBH co-wrote the grant with the State to provide services to homeless and chronically homeless veterans and individuals in Davis County. The intent of the grant is to identify homeless in Davis County and assist them to find housing and other recovery services. He presented agreement #2014-409 with the Utah Division of Substance Abuse & Mental Health to provide services for chronically homeless veterans and other chronically homeless individuals who have behavioral health disorders. It is in the receivable/pass-through to DBH of \$91,800.00. Contract period is November 1, 2014 through September 30, 2017. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Memo of
Understanding
#2014-410 with
Farmington
City for

Marlin Eldred, Davis County Community & Economic Development Interim Director, presented memorandum of understanding #2014-410 with Farmington City. In attendance from Farmington City were

incentive project	<p>Mayor Talbot and Dave Millheim, City Administrator. The MOU is incentive for a project in Farmington which benefits Davis County as a whole. It fits within the scope of Economic Development. Commissioner Downs indicated this project will provide a great benefit and a great return. Contract amount is \$300,000.00. It is a payable to be paid by June 2016. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor. Mayor Talbot, speaking from the audience, thanked the County for their partnership.</p>
Agreement #2014-411 UT Dept of Health for Stepping On program	<p>Diana Reich, Davis County Health Department, presented the following:</p> <p>Agreement #2014-411 with the Utah Department of Health for the Stepping On program in the Bountiful Utah Small Area, complete requirement for the Stepping On Master Trainer and identify sustainable funding for older adult falls prevention activities. It is a receivable in the amount \$19,400.00. Contract period is September 1, 2014 through August 31, 2016. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.</p>
Agreement #2014-412 UT Dept of Health – fall prevention workshops	<p>Agreement #2014-412 with the Utah Department of Health to perform falls prevention workshops, market them to older adults and evaluate the workshops based on the Stepping On protocols. It is a receivable in the amount of \$4,500.00. Contract period is July 1, 2014 through June 30, 2015. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.</p>
Notice of Award to Broken Heart Rodeo Co as stock contractor for 2015 Fair rodeo	<p>Dave Hansen, Davis County Legacy Events Center Director, presented the following:</p> <p>Notice of Award to Broken Heart Rodeo Company, LLC from West Point, as the stock contractor for the 2015 Davis County Fair rodeo for \$15,000.00. This is switching from a Professional Rodeo Cowboy Association sanctioned rodeo to a Rocky Mountain Professional Cowboy Association rodeo. This is to bring more contestants to the rodeo. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.</p>
Notice of Award and Agreement #2014-413 with Snowhorse Catering at LEC	<p>Notice of Award with Snowhorse Catering, LLC to provide concession services at the Legacy Events Center. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.</p> <p>Agreement #2014-413 with Snowhorse Catering, LLC to pay Davis County 7% of gross sales of concessions stand sales and 5% of gross sales from catering at the Legacy Events Center. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.</p>
Agreement #2014-414 Sports Car Club of America	<p>Agreement #2014-414 with Sports Car Club of America for a motorized sporting event in the Legacy Events Center’s parking lot scheduled for December 21, 2014. Contract receivable amount of \$1,200.00. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.</p>
Amendment #2013-471A FFKR Architects – additional design & upgrade @ Kaysville Library	<p>Barry Burton, Davis County Planning Director, presented amendment #2013-471A with FFKR Architects for additional design services and upgrades at the Kaysville Branch Library due to a \$250,000 private grant from the Simmons Family. He indicated the construction of the library is beginning to take shape. The payable amount is \$43,000.00. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.</p>
Agreement #2014-415	<p>Jerry Meyer, Davis County Library Chief Deputy Director, presented the following:</p>

FFKR Architects – prepare bidding documents for tangram graphic in Children’s Room at Kaysville Library

Agreement #2014-415 with FFKR Architects to prepare bidding documents for the tangram graphic (3D puzzle) art element on the west Children’s Room wall at the Kaysville Branch Library. Commissioner Downs indicated this will stimulate creativity. It is a payable in an amount not to exceed \$8,080.00. Period of contract is December 16, 2014 through October 1, 2015. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2014-416 Shannon Hale for author event

Agreement #2014-416 with Shannon Hale for an author program at the Bountiful Branch Library. She is a Utah author and is well known for her book, Austenland, which was made into a very successful movie. It is a payable amount of \$600.00. She is scheduled at the Bountiful Branch Library on February 5, 2015. Commissioner Downs noted her niece was the director of the movie and enjoyed working with the author. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Amendment #2013-511B Safe Harbor to extend term of CDBG

Greg Johnson, Davis County Planning Department, presented the following:
Amendment #2013-511B with Safe Harbor Crisis Center (Davis Citizens Coalition Against Violence) to extend the term of their agreement to accomplish the construction of a patio and roof extension utilizing 2013-2014 CDBG funds. The term is extended through March 31, 2015 to complete the project. Commissioner Millburn indicated there were some unforeseen requirements by Kaysville City for a building permit that needed to be addressed which put them behind schedule. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye.

Introduction of new Safe Harbor Director Kendra Wykoff

Greg introduced, in the audience, Kendra Wykoff, the new director at Safe Harbor. Kendra appreciated the opportunity to be introduced. She has been the director the past 4 weeks. She is a Davis County resident and feels it is a privilege and an honor to work for an agency within the county in which you live. She thanked the Commission for their support of the extension. She also expressed gratitude for their support of the Safe Harbor team, which enables them to provide quality services and a beautiful environment to domestic violence and sexual violence survivors. Commissioner Millburn expressed his appreciation for Kendra and what she is bringing to the Safe Harbor organization. He looks forward to her leadership for years to come.

Agreement #2014-222C (& #2014-223A) US Dept of HUD for FY2014-2015 CDBG funding

Agreement #2014-222C (& #2014-223A) with the US Department of Housing & Urban Development (HUD) for FY2014-2015 Community Development Block Grant (CDBG) funding. He indicated it is the final step in this process. The funds will then be disseminated to the previously allocated entities. The receivable amount is \$806,141.00. The contract period is July 1, 2014 through June 30, 2015. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Resolution #2014-371A notifying UT Judicial Council of intent to dissolve Justice Ct effective 12/31/16

Commissioner Petroff read the following resolution #2014-371A:

A RESOLUTION OF DAVIS COUNTY NOTIFYING
THE UTAH JUDICIAL COUNCIL OF DAVIS COUNTY’S INTENT TO DISSOLVE THE
DAVIS COUNTY JUSTICE COURT EFFECTIVE DECEMBER 31, 2016
AND REQUESTING THE UTAH JUDICIAL COUNCIL TO SHORTEN THE TIME REQUIRED BETWEEN
DAVIS COUNTY’S NOTICE OF INTENT TO DISSOLVE THE DAVIS COUNTY JUSTICE COURT TO
THE UTAH JUDICIAL COUNCIL AND THE EFFECTIVE DATE OF THE DISSOLUTION OF THE
DAVIS COUNTY JUSTICE COURT

WHEREAS, the Davis County Board of Commissioners recently and unanimously approved A Resolution Requesting the Recertification of the Davis County Justice Court Through December 31, 2016, whereby Davis County requested the Justice Courts Standards Committee and the Utah Judicial Council to recertify the Davis County Justice Court only through December 31, 2016 in order to facilitate a winding down process of the Davis County Justice Court as well as a smooth transition to an alternative to the Davis County Justice Court over approximately the next (2) years and after December 31, 2016.

WHEREAS, the cases currently before the Davis County Justice Court arise from and/or relate to the following jurisdictions: (1) Davis County; (2) Farmington City; (3) the City of Fruit Heights; (4) Kaysville City; (5) West Bountiful City; and (6) West Point City (the “Participating Davis County Justice Court Cities”).

WHEREAS, one or more members of the Davis County Board of Commissioners recently notified, in person or by telephone, the Participating Davis County Justice Court Cities that all agreements between Davis County and the Participating Davis County Justice Court Cities regarding the Davis County Justice Court shall terminate effective either December 31, 2015 or December 31, 2016.

WHEREAS, one or more members of the Davis County Board of Commissioners recently invited, in person or by telephone, representatives of the Participating Davis County Justice Court Cities to meet to discuss the winding down process of the Davis County Justice Court and potential alternatives to the Davis County Justice Court after December 31, 2016.

WHEREAS, one or more members of the Davis County Board of Commissioners recently provided the Participating Davis County Justice Court Cities with written notice that all agreements between Davis County and the Participating Davis County Justice Court Cities regarding the Davis County Justice Court shall terminate effective either December 31, 2015 or December 31, 2016.

WHEREAS, the Davis County Board of Commissioners believe that the current Davis County Justice Court caseload could be entirely and adequately addressed by several feasible alternatives including, but not limited to, any of the following:

- (1) some or all of the Davis County Justice Court’s caseload could be administered by currently established and operating municipal justice court’s within Davis County, as permitted by Utah Code Ann. § 78A-7-102 and the Utah Interlocal Cooperation Act;
- (2) some or all of the Davis County Justice Court’s caseload could be administered through the creation of one or more new municipal justice courts within Davis County, as permitted by Utah Code Ann. § 78A-7-102; or
- (3) as a last resort, some or all of the Davis County Justice Court’s caseload could be administered by the Second Judicial District Court, likely at its Bountiful and Layton locations.

WHEREAS, the Davis County Board of Commissioners are optimistic that a feasible alternative to the Davis County Justice Court, which does not involve additional cases being administered by the Second Judicial District Court, can be implemented over the next two (2) plus years.

NOW, THEREFORE, BE IT RESOLVED, that the Davis County Board of Commissioners shall, pursuant to Utah Code Ann. § 78A-7-123(1) & (2), provide the Utah Judicial Council with this resolution and a separate written notice of Davis County’s intent to dissolve the Davis County Justice Court effective December 31, 2016 at 11:59 p.m.

BE IT FURTHER RESOLVED, that the Davis County Board of Commissioners shall, pursuant to Utah Code Ann. § 78A-7-123(3) and through this resolution as well as a separate written request, request the Utah Judicial Council to shorten the time required between Davis County’s notice of intent to dissolve the Davis County Justice Court and the effective date of the dissolution of the Davis County Justice Court from the generally required notice of two (2) and one-half years to just over two (2) years.

Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor’s Office. Commissioner Petroff indicated the resolution was read for the record to indicate the 3 phases of what is to be accomplished.

Commissioner Downs presented resolution #2014-417 appointing Davis County’s representative to the Board of Trustees Utah Counties Indemnity Pool. Commissioner Petroff made a motion to reappoint Commissioner P. Bret Millburn to a four-year term (2015-2018). Commissioner Downs seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Downs noted the 2015 Annual Meeting Schedule of the Board of Davis County Commissioners, Farmington, Utah as follows:

NOTICE OF ANNUAL MEETING SCHEDULE
BOARD OF DAVIS COUNTY COMMISSIONERS
FARMINGTON, UTAH

Public notice is hereby given that during the year 2015, the annual meeting schedule of the Board of County Commissioners of Davis County will be as follows:
Regular meetings of the Board will be held in Room 303 in the Davis County Administration Building, 61 South Main., Farmington, Utah on Tuesday of each week at 10:00 a.m. or as soon thereafter as practical; provided, however, that the regular meeting may be canceled, postponed, or rescheduled upon a majority vote of the Board as the public business requires and the Board deems appropriate. If any meeting falls on a legal

Resolution #2014-417 reappointing Commissioner Millburn to UCIP Board

2015 Notice of Annual Meeting of Bd of DC Commissioners

holiday, the meeting may be held at the same hour and place on the following day.

Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye.

Rotation of
Commission
Chair & Vice-
Chair

In accordance with resolution #2007-382, each year the rotation of the Chair and Vice-Chair of the Davis County Commission occurs. Commissioner Petroff made a motion for Commissioner Millburn to serve as Chair for 2015 and himself, Commissioner Petroff, to serve as Vice-Chair for 2015. Commissioner Millburn seconded the motion. All voted aye.

Commissioner Petroff made a motion to convene as the Board of Equalization. Commissioner Millburn seconded the motion. All voted aye.

Property Tax
Register
approved

Cheri Mayer, Davis County Tax Administration, presented the Property Tax Register which reflected 7 corrections and property tax appeals and adjustments. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.

Commissioner Millburn made a motion to reconvene Commission Meeting. Commissioner Petroff seconded the motion. All voted aye.

Meeting
minutes of
11/25/14 & PH
12/9/14
approved

Commissioner Petroff made a motion to approve the Commission Meeting minutes of November 25, 2014 and December 9, 2014. Commissioner Millburn seconded the motion noting the December 9th minutes were for the evening Public Hearing. All voted aye.

Check registers
approved

Check registers as prepared by the Davis County Clerk/Auditor’s Office were approved with a motion by Commissioner Millburn. Commissioner Petroff seconded the motion. All voted aye. Documents are on file in the office of the Davis County Clerk/Auditor

Commissioner
Comments

Commissioner comments:

Commissioner Millburn indicated he is grateful for the technology that is available to enable him to participate via telephone today. Unfortunately, he is home playing nurse to a sick family today. He appreciates being able to join. He noted, as per the agenda, there is a lot of exciting things going on in Davis County and various changes coming. It is a great time to be actively involved.

Commissioner Petroff welcomed Jerry Chatterton, a West Point City Councilman, in the audience.

Public
Comments

Public comment:

Jerry Chatterton, West Point, had the opportunity to visit Davis County Animal Control. His handicapped brother-in-law’s horse got out 2 different times. He indicated the staff was very helpful and friendly. His struggle was the ability to get there and asked for directional signage on the highway (Highway 89) for Animal Control and the Public Works facility. The only sign is on the frontage road. He felt this would help a lot of different people.

Commissioner Petroff indicated there had been previous discussion with UDOT to allow signs on Highway 89 and for some reason they had an issue with the request. Although it has been brought up before, he will ask UDOT about it again due to Mr. Chatterton’s request.

Mr. Chatterton thanked the Commission for what they do. He enjoyed them coming out to be part of their West Point City Council meeting. He thanked Commissioner Downs for her service. Commissioner Downs said: “You gain more than you give in public service.” She thanked him for his compliment.

Meeting adjourned.

Clerk/Auditor

Chair